

TRANSPORTATION DEPARTMENT[761]**Notice of Intended Action**

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 307.10 and 307.12, the Iowa Department of Transportation hereby gives Notice of Intended Action to amend Chapter 601, "Application for License," Chapter 605, "License Issuance," Chapter 625, "Driver's Licenses for Undercover Law Enforcement Officers," and Chapter 630, "Nonoperator's Identification," Iowa Administrative Code.

The proposed amendments modify the requirements for obtaining a new driver's license or nonoperator's identification card, a renewal of a license or card, or a duplicate license or card to comply with federal rule making that established minimum standards for the issuance of driver's licenses and nonoperator's identification cards. The list of primary documents required to establish identity and date of birth are slightly modified to conform to the approved federal documents, and unnecessary secondary documents have been removed. The amendments also clarify the documents needed to verify social security number, establish in rule existing practice regarding proof of and verification of Iowa residency and current residential address and expand existing practice by requiring two documents showing residency rather than one, establish in rule existing practice regarding proof and verification of lawful status in the United States and modify slightly the documents necessary to prove lawful status to conform to the approved federal documents, and clarify procedures for establishing a person's change of name, date of birth, or sex designation.

A driver's license or nonoperator's identification card that is issued as a REAL ID driver's license or REAL ID nonoperator's identification card shall include a security marking as required by 6 CFR 37.17. Beginning January 15, 2013, a driver's license or nonoperator's identification card that is not issued as a REAL ID license or card may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security. A driver's license or nonoperator's identification card that is issued to a person who is a foreign national with temporary lawful status will be marked "limited term" and will be limited in term to one year where the person's lawful status has no expiration date. Where the person's lawful status has an expiration date, current practice, which limits the term to the length of lawful status, not to exceed two years, will continue.

The proposed amendments will bring Iowa into compliance with federal rule-making requirements and ensure that Iowans will have access to driver's licenses and nonoperator's identification cards that are acceptable to the federal government (REAL IDs) when Iowans are engaging in official purposes as defined in 6 CFR 37.3; specifically, accessing federal facilities for which identification is required to enter, boarding federally regulated commercial aircraft, and entering nuclear power plants.

The proposed amendments also allow a military member or dependent family member of a military member who is stationed out of state to use the military member's residential address for the state of station as the residential address for an Iowa driver's license or nonoperator's identification card when the military member and dependent family member are residents of Iowa but do not maintain an Iowa residence during the period they are stationed out of state. This provision is not required for federal compliance but was determined to be appropriate to support Iowa military members and their families who are not eligible for licensing in their state of station but need forms of identification that show their local address.

These rules do not provide for waivers. Any person who believes that the person's circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Any person or agency may submit written comments concerning these proposed amendments or may submit a written request to make an oral presentation. The comments or request shall:

1. Include the name, address, and telephone number of the person or agency authoring the comments or request.

2. Reference the number and title of the proposed rule, as given in this Notice, that is the subject of the comments or request.

3. Indicate the general content of a requested oral presentation.

4. Be addressed to the Department of Transportation, Office of Policy and Legislative Services, 800 Lincoln Way, Ames, Iowa 50010; fax (515)817-6511; Internet e-mail address: tracy.george@dot.iowa.gov.

5. Be received by the Office of Policy and Legislative Services no later than July 31, 2012.

A meeting to hear requested oral presentations is scheduled for Thursday, August 2, 2012, at 10 a.m. at the Iowa Department of Transportation's Motor Vehicle Division offices located at 6310 SE Convenience Boulevard, Ankeny, Iowa.

The meeting will be canceled without further notice if no oral presentation is requested.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 321.13, 321.177, 321.182, 321.189, 321.190, and 321.196, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

The following amendments are proposed.

ITEM 1. Amend rule 761—601.1(321) as follows:

761—601.1(321) Application for license.

601.1(1) No change.

601.1(2) Name. The applicant's full legal name shall be given on the application. Full legal name means an individual's first name, middle name(s), and last name, without use of initials or nicknames. Civilian and military titles, initials and nicknames shall not be given and shall not be used on the applicant's license or in the applicant's record. This prohibition on the use of initials does not apply where a portion of an individual's legal name, whether first, middle or last, consists of a single character, whether followed by a period or not.

601.1(3) and 601.1(4) No change.

601.1(5) Physical description. ~~Physical description shall include the applicant's~~ The applicant shall provide the applicant's physical description, which shall consist of the applicant's sex, height to the nearest inch, weight to the nearest pound, and eye color.

601.1(6) Address. The applicant shall provide the applicant's current residential address and the applicant's current mailing address, if different from the applicant's current residential address. The applicant shall not provide as a mailing address an address for which a forwarding order is in place.

601.1(7) Signature.

a. No change.

b. The applicant's signature certifies, under penalty of perjury and pursuant to the laws of the state of Iowa, that the statements ~~on the~~ made and information provided in the applicant's application are true and ~~the fee collected was~~ correct.

c. The applicant's signature further certifies that the fee collected and the change returned, if any, is correct and acknowledges that the applicant is aware of the requirement to notify the department of a change in mailing address within 30 days of the change.

~~d. A driver's license clerk or examiner will initial the application as witness~~ The applicant's signature will be captured electronically.

This rule is intended to implement Iowa Code sections 321.182, 321.196 and 321C.1, Article V, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 2. Amend rule 761—601.5(321) as follows:

761—601.5(321) Proofs submitted with application. A person who applies for a new driver's license or nonoperator's identification card or a duplicate license or card to replace one that is lost, stolen or

destroyed shall submit proof of age, identity, date of birth, and social security number, Iowa residency and current residential address, and lawful status in the United States.

~~601.5(1) Social security number verification. One or more of the following documents may be accepted as verification of an applicant's social security number. The documents must be issued in the United States.~~

~~a. Social security card issued by the Social Security Administration. A metal version of the card is not acceptable.~~

~~b. Letter from the Social Security Administration.~~

~~c. Document issued by the Internal Revenue Service or a state tax agency. Form W-2 tax form completed by the employer is acceptable.~~

~~d. Financial statement containing the social security number.~~

~~e. Payroll stub containing the social security number.~~

~~f. Military identification card containing the social security number.~~

~~601.5(2) 601.5(1) Proof of age and identity Verification of identity and date of birth. An To establish identity and date of birth, an applicant shall must submit at least one primary document and one secondary document from the following lists as proof of age and identity. The documents must be issued in the United States unless otherwise specified. of the following documents. The department may require additional documentation if the department believes that the documentation submitted is questionable or if the department has reason to believe that the person is not who the person claims to be.~~

~~a. Acceptable primary documents include:~~

~~(1) An Iowa photo driver's license.~~

~~(2) An Iowa photo identification card.~~

~~(3) Birth certificate issued in the United States. It must be a certified copy, have the stamp or raised seal of the issuing authority, and be issued by the state bureau of vital statistics, the state board of health, or a comparable agency. A hospital-issued certificate is not acceptable.~~

~~(4) United States Citizenship and Immigration Service document from the following list:~~

~~1. Certificate of Naturalization (N-550, N-570 or N-578).~~

~~2. Certificate of Citizenship (N-560, N-561 or N-645).~~

~~3. Permanent Resident Card (I-551).~~

~~4. Record of Arrival and Departure (I-94) with attached photo that is stamped "Temporary Proof of Lawful Permanent Resident."~~

~~5. "Processed for I-551" stamp in a valid foreign passport.~~

~~6. Travel Document indicating Permit to Re-enter (I-327) or Refugee Travel Document (I-571).~~

~~7. Record of Arrival and Departure (I-94) in a Certificate of Identity.~~

~~8. Employment Authorization Card (I-688A, I-688B, or I-766).~~

~~9. Record of Arrival and Departure (I-94) stamped "Refugee," "Parole," "Parolee," or "Asylee."~~

~~10. Record of Arrival and Departure (I-94) coded Section 207 (Refugee), Section 208 (Asylum), Section 209 (Refugees), Section 212d(5) (Parolee), HP (Humanitarian Parolee), or PIP (Public Interest Parolee).~~

~~(5) Military identification card. This does not include a military dependent identification card.~~

~~(6) Valid United States passport.~~

~~(7) Inmate Descriptor Inquiry, Client Information Inquiry or Offender Snapshot document issued by the Iowa department of corrections. The document must contain the full name and date of birth and be notarized.~~

~~b. Acceptable secondary documents include:~~

~~(1) Any primary document.~~

~~(2) Bureau of Indian Affairs or Indian Treaty Card. A tribal identification card is not acceptable.~~

~~(3) Photo driver's license or state-issued photo identification card that has not been expired for more than one year.~~

~~(4) Court order that does not contain the applicant's date of birth but does contain the full name.~~

~~(5) Foreign birth certificate. It must be translated by an approved translator, if translation is necessary.~~

- ~~(6) Military discharge, military orders or separation papers.~~
- ~~(7) Military dependent identification card.~~
- ~~(8) Employer identification card.~~
- ~~(9) Health insurance card.~~
- ~~(10) Document issued by the Internal Revenue Service or a state tax agency. Form W-2 tax form completed by the employer is acceptable.~~
- ~~(11) Marriage certificate.~~
- ~~(12) Gun permit.~~
- ~~(13) Pilot's license.~~
- ~~(14) School record or transcript. It must be certified.~~
- ~~(15) Social security card issued by the Social Security Administration. A metal version of the card is not acceptable.~~
- ~~(16) Social insurance card issued by the Canadian government.~~
- ~~(17) Photo student identification card.~~
- ~~(18) Voter registration card.~~
- ~~(19) Welfare card.~~
- ~~(20) Prison release document.~~
- ~~(21) Parent or guardian affidavit. The parent or guardian must appear in person, submit proof of the parent's or guardian's age and identity, and submit a certified or notarized affidavit regarding the child's identity. This applies only to minors.~~
- ~~c. The department may require additional documentation if the department believes that the documentation submitted is questionable or if the department has reason to believe that the person is not who the person claims to be.~~
 - a. A valid, unexpired U.S. passport or U.S. passport card.
 - b. A certified copy of a birth certificate and, if applicable, a certified amended birth certificate showing a change in name, date of birth, or sex, filed with a state office of vital statistics or equivalent agency in the applicant's state of birth. The birth certificate must be a certified copy and have the stamp or raised seal of the issuing authority. A hospital-issued certificate is not acceptable. As used herein, "state" means a state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
 - c. A Consular Report of Birth Abroad issued by the U.S. Department of State (Form FS-240, DS-1350 or FS-545).
 - d. A valid, unexpired Permanent Resident Card (Form I-551) issued by the U.S. Department of Homeland Security or U.S. Immigration and Naturalization Service.
 - e. An unexpired employment authorization document issued by the U.S. Department of Homeland Security (Form I-766 or Form I-688B).
 - f. An unexpired foreign passport with a U.S. visa affixed, accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States.
 - g. A Certificate of Naturalization issued by the U.S. Department of Homeland Security (Form N-550 or Form N-570).
 - h. A Certificate of Citizenship (Form N-560 or Form N-561) issued by the U.S. Department of Homeland Security.
 - i. A REAL ID driver's license or identification card issued in compliance with the standards established by 6 CFR Part 37.
 - j. Such other documents as the U.S. Department of Homeland Security may designate as acceptable proof of identity and date of birth for REAL ID purposes by notice published in the Federal Register.
 - k. An Inmate Descriptor Inquiry, Client Information Inquiry or Offender Snapshot document issued by the Iowa department of corrections or the United States District Court, Northern and Southern Districts of Iowa. The document must contain the applicant's full legal name and date of birth and be notarized. An applicant who provides only a document listed in this paragraph shall not be eligible for

a driver's license or nonoperator's identification card marked as acceptable for federal purposes under 6 CFR Part 37.

601.5(2) Verification of social security number.

a. Except as provided in paragraph 601.5(2) "*b.*," an applicant must present the applicant's Social Security Administration's account number card; or if a social security account number card is not available, the applicant may present any of the following documents bearing the applicant's social security number:

- (1) A W-2 form.
- (2) A Social Security Administration-1099 form.
- (3) A non-Social Security Administration-1099 form.
- (4) A pay stub with the applicant's name and social security number on it.

b. An applicant who establishes identity by presenting the identity document listed in paragraph 601.5(1) "*f.*" (unexpired foreign passport with a valid, unexpired U.S. visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States) must document the applicant's social security number as set forth in paragraph 601.5(2) "*a.*" or demonstrate non-work authorized status.

601.5(3) Verification of Iowa residency and current residential address.

a. To document Iowa residency and current residential address, an applicant must present two documents that include the applicant's name and current Iowa residential address and that demonstrate residency in the state of Iowa. Acceptable documents are documents issued by a person, organization, or entity other than the applicant, that include the issuer's name and address, include the applicant's name and current residential address, and demonstrate residency in the state of Iowa. The documents must be reasonable, authentic documents capable of verification by the department.

b. The address must be a street or highway address, and may not be a post office box. In areas where a number and street name have not been assigned, an address convention used by the U.S. Postal Service is acceptable. The current residence of a person with more than one dwelling is the dwelling for which the person claims a homestead tax credit under Iowa Code chapter 425, if applicable.

c. An applicant who is a member of the armed forces and is an Iowa resident stationed in another state may use the applicant's address in the state of station as the applicant's current residential address if the applicant does not maintain an Iowa residence during the applicant's deployment outside the state of Iowa. The applicant must provide official documentation confirming the applicant's residential address in the state of station and that the applicant is stationed in that state. The applicant's mailing address may be the applicant's current residential address or another address at which the applicant receives mail.

d. An applicant who is a dependent family member of and resides with a member of the armed forces who is an Iowa resident stationed in another state may use the applicant's address in the state of station as the applicant's current residential address if the applicant does not maintain an Iowa residence during the applicant's deployment outside the state of Iowa. The applicant must provide official documentation confirming the applicant's residential address in the state of station and that the applicant is a dependent family member of a member of the armed forces stationed in that state. The applicant's mailing address may be the applicant's current residential address or another address at which the applicant receives mail.

601.5(4) Verification of lawful status in the United States.

a. If an applicant presents one of the identity documents listed under subrule 601.5(1), the department's verification of that identity document is satisfactory evidence of lawful status.

b. An applicant who presents only a document listed under subrule 601.5(1), paragraph "*e.*," "*f.*," or "*i.*," is not eligible to receive a driver's license or nonoperator's identification card marked as REAL ID compliant unless the applicant also provides one of the other documents listed in subrule 601.5(1), or another United States Department of Homeland Security-approved document.

601.5(3) 601.5(5) Name Verification of name change verification. The name listed on the driver's license or nonoperator's identification card that is issued shall be identical to the name ~~contained~~ listed on the ~~primary~~ identity document submitted unless the applicant submits an affidavit of name change on Form 430043. The affidavit must be accompanied by one of the chain of legal documents necessary to

show the legal change of the applicant's name from the identity document submitted to the name listed on the affidavit. The following documents are acceptable:

a. Court-ordered name change. ~~It~~ A court order must contain the applicant's prior full legal name, the applicant's court-ordered full legal name, the applicant's date of birth, and the official court seal. Acceptable court orders include orders under petition for name change, orders for name change set forth in a decree of dissolution, and orders for name change set forth in a decree of adoption.

b. ~~Divoree decree.~~

c. ~~*b.*~~ Marriage certificate. The marriage certificate must be filed with a state office of vital statistics or equivalent agency in the person's state or country of marriage. The certificate must be a certified copy and have the stamp or raised seal of the issuing authority. A church, chapel or similarly issued certificate is not acceptable. As used herein, "state" means a state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

601.5(6) *Verification of change of date of birth.* The date of birth listed on the driver's license or nonoperator's identification card that is issued shall be identical to the date of birth listed on the identity document submitted unless the applicant submits a certified amended birth certificate that documents the change of date of birth and that meets the requirements of paragraph 601.5(1) "*b.*" or submits a court-ordered date of birth change. The court order must contain the applicant's full legal name, the applicant's prior date of birth, the applicant's court-ordered date of birth, and official court seal.

601.5(7) *Verification of change of sex designation.* The sex designation listed on the driver's license or nonoperator's identification card that is issued shall be identical to the sex designation listed on the identity document submitted unless the applicant submits a certified amended birth certificate that documents the change of sex designation and that meets the requirements of paragraph 601.5(1) "*b.*" or submits a court-ordered change of sex designation. The court order must contain the applicant's full legal name, the applicant's date of birth, the applicant's prior sex designation, the applicant's court-ordered sex designation, and official court seal.

This rule is intended to implement Iowa Code sections 321.182 and 321.189, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 3. Amend rule 761—605.2(321) as follows:

761—605.2(321) Contents of license. In addition to the information specified in Iowa Code subsection 321.189(2), the following information shall be shown on a driver's license.

605.2(1) *Name.* The licensee's full legal name shall be listed as established according to 761—subrule 601.5(1) and 761—subrule 601.5(5) and shall conform to the requirements of 761—subrule 601.1(2).

~~**605.2(1)**~~ **605.2(2)** *Address Current residential address.* ~~A business address shall be used only when the licensee does not have an Iowa address and will not be able to establish a residence address in Iowa.~~ The licensee's current residential address shall be listed as established according to the requirements of 761—subrule 601.5(3).

~~**605.2(2)**~~ **605.2(3)** *Physical description.* The physical description of the licensee on the face of the driver's license shall include:

a. and *b.* No change.

~~*c.*~~ Rescinded IAB 11/8/06, effective 12/13/06.

605.2(4) *Date of birth.* The licensee's date of birth shall be listed as established according to 761—subrule 601.5(1) and 761—subrule 601.5(6).

605.2(5) *Sex.* The licensee's sex designation shall be listed as established according to the requirements of 761—subrule 601.5(7).

605.2(6) *REAL ID markings.*

a. A driver's license that is issued as a REAL ID license as defined in 761—601.7(321) shall include a security marking as required by 6 CFR 37.17(n).

b. Beginning January 15, 2013, a driver's license that is not issued as a REAL ID license as defined in 761—601.7(321) may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

c. A driver's license issued to a foreign national with temporary lawful status shall include the following statement on the face of the license: "limited term."

This rule is intended to implement Iowa Code section 321.189, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 4. Adopt the following **new** rule 761—605.6(321):

761—605.6(321) License term for temporary foreign national. A driver's license issued to a person who is a foreign national with temporary lawful status shall be issued only for the length of time the person is authorized to be present as verified by the department, not to exceed two years. However, if the person's lawful status as verified by the department has no expiration date, the driver's license shall be issued for a period of no longer than one year.

This rule is intended to implement Iowa Code section 321.196, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 5. Amend rule 761—605.11(321) as follows:

761—605.11(321) Duplicate license.

605.11(1) *Lost, stolen or destroyed license.* To replace a valid license that is lost, stolen or destroyed, the licensee shall submit Form 430052 and proof of age, identity and social security number shall comply with the requirements of 761—601.5(321). The replacement fee is \$3.

605.11(2) *Voluntary replacement.* The department shall issue a duplicate of a valid license to an eligible licensee if the license is surrendered to the department and the \$1 voluntary replacement fee is paid. Voluntary replacement includes but is not limited to:

a. No change.

b. Replacement to change the current residential address on a license. The licensee shall comply with the requirements of 761—subrule 601.5(3) to establish a change of current residential address.

c. Replacement to change the name on a license. The licensee shall submit an affidavit of the name change on Form 430043. The affidavit must be accompanied by one of the following documents: comply with the requirements of 761—subrule 601.5(5) to establish a name change.

~~(1) Court-ordered name change. It must contain the full name, date of birth, and court seal.~~

~~(2) Divorce decree.~~

~~(3) Marriage certificate.~~

d. Replacement to change the date of birth on a license. The licensee shall comply with the requirements of 761—subrule 601.5(6) to establish a change of date of birth.

~~*d. e.* Replacement to change the sex designation on a license. The licensee shall submit court documentation of the sex change comply with the requirements of 761—subrule 601.5(7) to establish a change of sex designation.~~

~~*e. f.* Issuance of a license without the words "under 21" to a licensee who is 21 years of age or older.~~

~~*f. g.* Issuance of a license without the words "under 18" to a licensee who is 18 years of age or older. (If the licensee is under 21 years of age, the words "under 21" will replace the words "under 18.")~~

~~*g. h.* Issuance of a noncommercial driver's license to an eligible person who has been disqualified from operating a commercial motor vehicle.~~

~~*h.* Replacement of a valid license before its expiration date to obtain a license issued under the new classification system.~~

i. Replacement of a valid license before its expiration date to obtain a license that may be accepted for federal identification purposes under 6 CFR Part 37 (a REAL ID license). The licensee shall comply with the requirements of 761—601.5(321) to obtain a REAL ID license.

This rule is intended to implement Iowa Code sections 321.189, 321.195, and 321.208, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 6. Amend rule 761—605.25(321) as follows:

761—605.25(321) License renewal.

605.25(1) A licensee who wishes to renew a driver's license shall apply ~~at a driver's license examination station~~ to the department and, if required, pass the appropriate examination.

605.25(2) and **605.25(3)** No change.

605.25(4) If the licensee's current residential address, name, date of birth, or sex designation has changed since the previous license was issued, the licensee shall comply with the following:

a. Current residential address. The licensee shall comply with the requirements of 761—subrule 601.5(3) to establish a change of current residential address.

b. Name. The licensee shall comply with the requirements of 761—subrule 601.5(5) to establish a name change.

c. Date of birth. The licensee shall comply with the requirements of 761—subrule 601.5(6) to establish a change of date of birth.

d. Sex designation. The licensee shall comply with the requirements of 761—subrule 601.5(7) to establish a change of sex designation.

605.25(5) A licensee who has not previously been issued a license that may be accepted for federal identification purposes under 6 CFR Part 37 (a REAL ID license) and wishes to obtain a REAL ID license upon renewal must comply with the requirements of 761—601.5(321) to obtain a REAL ID license upon renewal.

605.25(6) A licensee who is a foreign national with temporary lawful status must provide documentation of lawful status as required by 761—subrule 601.5(4) at each renewal.

This rule is intended to implement Iowa Code sections 321.186 and 321.196, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 7. Amend subrule 625.3(2) as follows:

625.3(2) A two-year license will be issued. The applicant must pay all fees and meet all requirements for the class of license applied for, except that 761—subrule 601.5(2) (proof of age and identity), 761—subrule 601.5(1) is waived.

ITEM 8. Amend rule 761—630.2(321) as follows:

761—630.2(321) Application and issuance.

630.2(1) No change.

630.2(2) The applicant shall present proof of age, identity, date of birth, and social security number, Iowa residency, current residential address and lawful status as required by rule 761—601.5(321). Submission of parental consent is also required in accordance with rule 761—601.6(321).

630.2(3) The nonoperator's identification card shall be coded for identification only, as explained on the reverse side of the card. The county number shall indicate the county of residence. The card shall expire five years from the date of issue if the applicant is under the age of 70. A card issued to a person who is a foreign national with temporary lawful status shall be issued only for the length of time the person is authorized to be present in the United States as verified by the department, not to exceed two years. However, if the person's lawful status as verified by the department has no expiration date, the card shall be issued for a period of no longer than one year.

630.2(4) and **630.2(5)** No change.

630.2(6) ~~Rescind IAB 2/8/12, effective 3/14/12.~~ An applicant who is a foreign national with temporary lawful status must provide documentation of lawful status as required by 761—subrule 601.5(4) at each renewal.

630.2(7) No change.

630.2(8) A nonoperator's identification card issued to a foreign national with temporary lawful status shall include the following statement on the face of the card: "limited term."

630.2(9) Beginning January 15, 2013, a nonoperator's identification card that is not issued as a REAL ID nonoperator's identification card as defined in subrule 630.2(7) may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

ITEM 9. Amend subrule 630.3(1) as follows:

630.3(1) *Lost, stolen or destroyed card.* To replace a nonoperator's identification card that is lost, stolen or destroyed, the cardholder shall submit Form 430052 and proof of age, identity and social security number shall comply with the requirements of 761—601.5(321). The replacement fee is \$3.

ITEM 10. Amend subrule 630.3(2) as follows:

630.3(2) *Voluntary replacement.* To voluntarily replace a nonoperator's identification card, the cardholder shall surrender to the department the card to be replaced. The reasons a card may be voluntarily replaced and any additional supporting documentation required are the same as those listed in subrule 761—605.11(2), 761—paragraphs 605.11(2) "a" to "f." "i." The fee for voluntary replacement is \$1.

ITEM 11. Amend **761—Chapter 630**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 321.189, 321.190, ~~321.192~~, 321.195, 321.216, 321.216A, 321.216B and 321.216C, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note),₂ and 6 CFR Part 37.